

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

LARRY ROBERT MOSS and MELINDA)	
FAYE MOSS,)	
)	
Plaintiffs,)	
)	No.: 1:13-CV-86
v.)	JUDGE HARRY S. MATTICE, JR.
)	MAGISTRATE WILLIAM B. CARTER
NATIONAL ASSOCIATION OF)	
CHRISTIAN ATHLETES, WORLD)	
MISSIONS INTERNATIONAL, FORT)	
BLUFF CAMP, BRYAN COLLEGE and)	
JOHN DOES 1-5)	
)	
Defendants.)	

ANSWER OF DEFENDANT BRYAN COLLEGE

COME the Defendant, Bryan College, by and through counsel, and in response to the complaint filed against them would state as follows:

Bryan College is without sufficient information and knowledge to admit or deny the allegations contained in the first four unnumbered paragraphs of the Introductory Statement of the Complaint and demands strict proof thereof. Bryan College denies the allegation of unnumbered paragraph five of the Introductory Statement that it was negligent and that its negligence resulted in injuries to Mr. Moss. Bryan College is without sufficient knowledge or information to admit or deny the allegations of unnumbered paragraphs 6 and 7 of the Introductory Statement regarding the alleged injuries and damages sustained by the Mr. and Ms. Ross. Bryan College. Bryan College denies the allegations of unnumbered paragraph 8 of the Introductory Statement directed to it.

All factual allegations against Bryan College set forth in the Introductory Statement not specifically admitted are denied.

1. Bryan College is without sufficient knowledge or information to admit or deny the allegations of paragraph 1 of the Complaint.

2. Bryan College is without sufficient knowledge or information to admit or deny the allegations of paragraph 2 of the Complaint.

3. Bryan College is without sufficient knowledge or information to admit or deny the allegations of paragraph 3 of the Complaint.

4. Bryan College admits that it is a Tennessee corporation. Bryan College denies the allegation paragraph 4 of the Complaint that it owns, operates and/or manages Fort Bluff Camp.

5. Bryan College is without sufficient knowledge or information to admit or deny the allegations of paragraph 5 of the Complaint.

6. Bryan College admits that this Court has jurisdiction over this matter.

7. Bryan College admits that venue is properly in this Court.

8. Bryan College admits that it is subject to the jurisdiction and venue of this Court.

9. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 9 of the Complaint.

10. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 10 of the Complaint.

11. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 11 of the Complaint.

12. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 12 of the Complaint.

13. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 13 of the Complaint.

14. Bryan College denies the allegations of paragraph 14 of the Complaint.

15. Bryan College denies the allegations of paragraph 15 of the Complaint directed to it. Bryan College makes no reference to the allegations of paragraph 15 directed to the other co-defendants for whose acts Bryan College is not responsible.

16. Bryan College denies the allegations of paragraph 16 of the Complaint directed to it. Bryan College makes no reference to the allegations of paragraph 16 directed to the other co-defendants for whose acts Bryan College is not responsible.

17. Bryan College denies the allegations of paragraph 17 of the Complaint directed to it. Bryan College makes no reference to the allegations of paragraph 17 directed to the other co-defendants for whose acts and deeds Bryan College is not responsible.

18. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 18 of the Complaint.

19. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 19 of the Complaint.

20. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 20 of the Complaint.

21. Bryan College denies the allegations of paragraph 21 of the Complaint directed to it. Bryan College is without sufficient information or knowledge to admit or deny the remaining allegations of paragraph 21 of the Complaint.

22. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 22 of the Complaint.

23. Bryan College denies any allegation of paragraph 23 of the Complaint directed to it. Bryan College is without sufficient information or knowledge to admit or deny the remaining allegations of paragraph 23 of the Complaint.

24. Bryan College denies any allegation of paragraph 24 of the Complaint directed to it. Bryan College is without sufficient information or knowledge to admit or deny the remaining allegations of paragraph 24 of the Complaint.

25. Bryan College denies any allegation of paragraph 25 of the Complaint directed to it. Bryan College is without sufficient information or knowledge to admit or deny the remaining allegations of paragraph 25 of the Complaint.

26. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 26 of the Complaint.

27. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 27 of the Complaint.

28. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 28 of the Complaint.

29. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 29 of the Complaint.

30. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 30 of the Complaint.

31. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 31 of the Complaint.

32. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 32 of the Complaint.

33. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 33 of the Complaint.

34. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 34 of the Complaint.

35. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 35 of the Complaint.

36. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 36 of the Complaint.

37. Bryan College denies the allegations of paragraph 37 of the Complaint directed to it.

38. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 38 of the Complaint.

39. Bryan College is without sufficient information or knowledge to admit or deny the allegations of paragraph 39 of the Complaint.

40. Bryan College incorporates by reference paragraphs 1-39 as if fully set forth herein.

41. Bryan College denies the allegations of paragraph 41 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 41 directed to the other co-defendants for whose acts it is not responsible.

42. Bryan College denies the allegations of paragraph 42 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 42 directed to the other co-defendants for whose acts it is not responsible.

43. Bryan College denies the allegations of paragraph 43 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 43 directed to the other co-defendants for whose acts it is not responsible.

44. Bryan College denies the allegations of paragraph 44 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 44 directed to the other co-defendants for whose acts it is not responsible.

45. Bryan College denies the allegations of paragraph 45 A - S of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 44 directed to the other co-defendants for whose acts and deeds it is not responsible.

46. Bryan College denies the allegations of paragraph 45 A - S of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 45 A - S directed to the other co-defendants for whose acts and deeds it is not responsible.

47. Bryan College is without sufficient knowledge and information to admit or deny the allegations of paragraph 47 of the Complaint.

48. Bryan College is without sufficient knowledge and information to admit or deny the allegations of paragraph 48 of the Complaint.

49. Bryan College is without sufficient knowledge and information to admit or deny the allegations of paragraph 49 of the Complaint.

50. Bryan College incorporates by reference paragraphs 1-49 as if fully set forth herein.

51. Bryan College denies the allegations of paragraph 51 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 51 directed to the other co-defendants for whose acts it is not responsible.

52. Bryan College denies the allegations of paragraph 52 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 52 directed to the other co-defendants for whose acts it is not responsible.

53. Bryan College denies the allegations of paragraph 53 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 53 directed to the other co-defendants for whose acts it is not responsible.

54. Bryan College incorporates by reference paragraphs 1-49 of its Answer as if fully set forth herein.

55. Bryan College denies the allegations of paragraph 55 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 55 directed to the other co-defendants for whose acts it is not responsible.

56. Bryan College denies the allegations of paragraph 56 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 56 directed to the other co-defendants for whose acts it is not responsible.

57. Bryan College denies the allegations of paragraph 57 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 57 directed to the other co-defendants for whose acts it is not responsible.

58. Bryan College denies the allegations of paragraph 58 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 58 directed to the other co-defendants for whose acts it is not responsible.

59. Bryan College denies the allegations of paragraph 59 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 59 directed to the other co-defendants for whose acts it is not responsible.

60. Bryan College incorporates by reference paragraphs 1-59 of its Answer as if fully set forth herein.

61. Bryan College is without sufficient knowledge or information to admit or deny the allegations of paragraph 61 of the Complaint.

62. Bryan College denies the allegations of paragraph 62 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 59 directed to the other co-defendants for whose acts it is not responsible.

63. Bryan College denies the allegations of paragraph 63 of the Complaint directed to it. Bryan College makes no response to the allegations of paragraph 63 directed to the other co-defendants for whose acts it is not responsible.

64. All other allegations of Plaintiffs' Complaint not heretofore admitted, denied or explained are denied in full.

65. The Plaintiffs fail to state a claim or cause of action against Bryan College for which relief can be granted.

66. Bryan College affirmatively asserts, if proven applicable by investigation and discovery, that Larry Robert Moss failed to exercise ordinary care and was negligent in his own actions and that Larry Robert Moss' negligence proximately caused and/or contributed to his alleged injuries and damages then such negligence bars the Plaintiffs from any recovery or reduces the Plaintiffs' right of recovery under comparative negligence.

67. Bryan College asserts the comparative fault of the other named Defendants. The Plaintiffs have alleged in the Complaint the wrongful acts and omissions of other named Defendants. Bryan College avers that the fault, if any, proven of the co-Defendants as alleged in

the Complaint must be taken into account by the jury and any award to which the Plaintiffs might be entitled must be proportionately reduced under the doctrine of comparative fault.

68. Bryan College specifically reserves the right to amend this answer and plead additional facts and/or defenses as investigation and discovery in this matter proceeds.

69. Bryan College demands a jury to try all issues.

WHEREFORE, Bryan College, denies that it is liable to Plaintiffs for any amount, respectfully request it be dismissed from this lawsuit with costs taxed to the Plaintiffs, and that it be granted such other and further relief as the Court deems appropriate.

Respectfully submitted,

LEWIS, KING, KRIEG & WALDROP, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on this the 14th day May, 2013, a copy of the foregoing Answer was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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s/ Joseph M. Huffaker

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